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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/600,472

**Applicant(s)**

PETERSON ET AL.

**Examiner**

Thuong (Tina) T. Nguyen

**Art Unit**

2155

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 and 57-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40, 57-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to the amendment filed on 7/29/08. Claims 1, 17, 33 & 57 were amended. Claims 41-56 are canceled. Claims 1-40, 57-61 are pending and represent method of modifying a checksuite.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-32, & 57-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moulden, Patent No. 2006/0206870 A1 in view of Eden, Patent No. 2003/0009305 A1, and further in view of Johnson, Patent No. 5,557,740.

Moulden teaches the invention substantially as claimed including integrated computer testing and task management systems (see abstract).

4. As to claim 1, Moulden teaches a method, comprising:

selecting a checksuite for editing (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting existing test project or creating a test project); and

editing the checksuite, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite (figure 37-38; page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the method of modifying attributes of an existing suite or modifying test suite or adding the new test cases to an existing group),

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simultaneously applying the edited checksuite to at least one of the two or more previously selected machines or one or more additional machines (page 4, paragraph 51 & 53; page 9, paragraph 98-100; Moulden discloses that the method of running the modified test suite on selected machines).

But Moulden failed to teach the claim limitation wherein the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system.

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However, Eden teaches flexible, extensible, and portable testing platform (see abstract). Eden teaches the limitation wherein the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system (page 1, paragraph 4, 6-7; page 2, paragraph 14 & 18; page 9, paragraph 33; page 10, paragraph 41).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Eden so that the system would be able to apply to testing a different type of component or extended, ported to different hardware and operating system environments. One would be motivated to do so to easily ported and enhanced to facilitate testing of many different types of hardware and software components while running within a multitude of different operating system environments.

However, Johnson teaches method and system for providing device support testing for a plurality of operating systems (see abstract). Johnson teaches the limitation wherein the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system (col 2, lines 40-63; col 4, lines 25-63; col 5, lines 65 – col 6, lines 28; col 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Johnson so that the system would be able to test the device drivers necessary for each operating system. One would be motivated to do so to reduce the cost and that the operating system not be substantially modified.

5. As to claim 2, Moulden, Eden and Johnson teach the method as recited in claim 1, wherein editing the checksuite further comprises:

adding one or more new individual checks to the checksuite (page 6, paragraph 72; Moulden discloses that the method of adding or specifying the context for suites and test group); and

applying the edited checksuite to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

6. As to claim 3, Moulden, Eden and Johnson teach the method as recited in claim 2, further comprising:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the method of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the method of run the test suite for the selected machine).

7. As to claim 4, Moulden, Eden and Johnson teach the method as recited in claim 2, further comprising:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the method of deleting and modifying the selected test suite); and

removing the edited checksuite from the deselected machines (page 5, paragraph 66; Moulden discloses that the method of removing the selected test suite form the machine).

8. As to claim 5, Moulden, Eden and Johnson teach the method as recited in claim 2, wherein applying the edited checksuite to the one or more previously selected machines cancels any differences made to at least one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

9. As to claim 6, Moulden, Eden and Johnson teach the method as recited in claim 2, wherein applying the edited checksuites to the one or more previously selected machines preserves any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

10. As to claim 7, Moulden, Eden and Johnson teach the method as recited in claim 1, wherein editing the checksuite further comprises:

deleting one or more individual checks from the checksuite (page 5, paragraph 63; Moulden discloses that the method of deleting the selected test case from the test suite); and

applying the edited checksuite to the one or more previously selected machines (page 9, paragraph 95; Moulden discloses that the method of run the test suite for the selected machine).

11. As to claim 8, Moulden, Eden and Johnson teach the method as recited in claim 7, further comprising:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the method of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the method of run the test suite for the selected machine).

12. As to claim 9, Moulden, Eden and Johnson teach the method as recited in claim 7, further comprising:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the method of deleting and modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5, paragraph 66; Moulden discloses that the method of removing the selected test suite form the machine).

13. As to claim 10, Moulden, Eden and Johnson teach the method as recited in claim 7, wherein applying the edited checksuite to the one or more previously selected machines cancels any differences made to at least one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

14. As to claim 11, Moulden, Eden and Johnson teach the method as recited in claim 7, wherein applying the edited checksuite to the one or more previously selected machines preserves any differences made to at least one of the one or more previously

selected machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

15. As to claim 12, Moulden, Eden and Johnson teach the method as recited in claim 1, wherein editing the checksuite further comprises:

modifying one or more individual checks within the checksuite (page 9, paragraph 98; Moulden discloses that the method of modifying the test case within the test suite or test group); and

applying the edited checksuite to the one or more previously selected machines (page 7, paragraph 77; Moulden discloses that the method of activate the test suite from the selected machine).

16. As to claim 13, Moulden, Eden and Johnson teach the method as recited in claim 12, further comprising:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the method of selecting the desire test suite);  
and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the method of run the test suite for the selected machine).

17. As to claim 14, Moulden, Eden and Johnson teach the method as recited in claim 12, further comprising:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the method of deleting and modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5, paragraph 66; Moulden discloses that the method of removing the selected test suite from the machine).

18. As to claim 15, Moulden, Eden and Johnson teach the method as recited in claim 12, wherein applying the edited checksuite to the one or more previously selected machines cancels any differences made to at least one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

19. As to claim 16, Moulden, Eden and Johnson teach the method as recited in claim 12, wherein applying the edited checksuites to the one or more previously selected machines preserves any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

20. As to claim 17, Moulden teaches a machine-readable medium including program code, which when executed by a processor causes the processor to perform the following:

selecting a checksuite for editing (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the machine-readable medium of selecting existing test project or creating a test project); and

editing the checksuite, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite (figure 37-38; page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the machine-readable medium of modifying attributes of an existing suite or modifying test suite or adding the new test cases to an existing group).

applying the edited checksuite to at least one of the two or more previously selected machines or one or more additional machines (page 4, paragraph 51 & 53; page 9, paragraph 98-100; Moulden discloses that the machine-readable medium of running the modified test suite on selected machines).

But Moulden failed to teach the claim limitation wherein the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system.

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However, Eden teaches the limitation wherein the checksuite includes one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system (page 1, paragraph 4, 6-7; page 2, paragraph 14 & 18; page 9, paragraph 33; page 10, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Eden so that the system would be able to apply to testing a different type of component or extended, ported to different hardware and operating system environments. One would be motivated to do so to easily ported and enhanced to facilitate testing of many different types of hardware and software components while running within a multitude of different operating system environments.

However, Johnson teaches the limitation wherein the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system (col 2, lines 40-63; col 4, lines 25-63; col 5, lines 65 – col 6, lines 28; col 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Johnson so that the system would be able to test the device drivers necessary for each operating system. One would be motivated to do so to reduce the cost and that the operating system not be substantially modified.

21. As to claim 18, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 17, which causes the processor to further perform:

adding one or more individual checks to the checksuite (page 6, paragraph 72; Moulden discloses that the machine-readable medium of adding or specifying the context for suites and test group); and

applying the edited checksuite to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the machine-readable medium of activates the test suite once the user complete the process).

22. As to claim 19, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 18, which causes the processor to further perform:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the machine-readable medium of run the test suite for the selected machine).

23. As to claim 20, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 18, which causes the processor to further perform:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5, paragraph 66; Moulden discloses that the machine-readable medium of removing the selected test suite form the machine).

24. As to claim 21, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 18, wherein canceling any differences made to at least one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden

discloses that the machine-readable medium of applying the test suite and creating the sequence for the test suite).

25. As to claim 22, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 18, wherein preserving any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the machine-readable medium of run the test suite for the selecting machines).

26. As to claim 23, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 17, which causes the processor to further perform:

deleting one or more individual checks from the checksuite (page 5, paragraph 63; Moulden discloses that the machine-readable medium of deleting the selected test case from the test suite); and

applying the edited checksuite to the one or more previously selected machines (page 9, paragraph 95; Moulden discloses that the machine-readable medium of run the test suite for the selected machine).

27. As to claim 24, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 23, which causes the processor to further perform:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the machine-readable medium of run the test suite for the selected machine).

28. As to claim 25, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 23, which causes the processor to further perform:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5, paragraph 66; Moulden discloses that the machine-readable medium of removing the selected test suite from the machine).

29. As to claim 26, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 23, wherein canceling any differences made to one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the machine-readable medium of applying the test suite and creating the sequence for the test suite).

30. As to claim 27, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 23, wherein preserving any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the machine-readable medium of run the test suite for the selecting machines).

31. As to claim 28, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 17, which causes the processor to further perform:

modifying one or more individual checks within the checksuite (page 9, paragraph 98; Moulden discloses that the machine-readable medium of modifying the test case within the test suite or test group); and

applying the edited checksuite to the one or more previously selected machines (page 7, paragraph 77; Moulden discloses that the machine-readable medium of activate the test suite from the selected machine).

32. As to claim 29, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 28, which causes the processor to further perform:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the machine-readable medium of run the test suite for the selected machine).

33. As to claim 30, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 28, which causes the processor to further perform:

de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5, paragraph 66; Moulden discloses that the machine-readable medium of removing the selected test suite form the machine).

34. As to claim 31, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 28, wherein canceling any differences made to at least one of the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the machine-readable medium of applying the test suite and creating the sequence for the test suite).

35. As to claim 32, Moulden, Eden and Johnson teach the machine-readable medium as recited in claim 28, wherein preserving any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the machine-readable medium of run the test suite for the selecting machines).

36. As to claim 57, Moulden teaches an apparatus, comprising:

a memory to store instructions (page 6, paragraph 72; Moulden discloses that the apparatus of included the memory in the system); and

a processor, coupled to the memory, to execute the instructions, the instructions causing the processor to

select a checksuite for editing (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the apparatus of selecting existing test project or creating a test project),

to edit the checksuite, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite (figure 37-38; page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the apparatus of modifying attributes of an existing suite or modifying test suite or adding the new test cases to an existing group), and

to apply the edited checksuite to at least one of the two or more previously selected machines or one or more additional machines (page 4, paragraph 51 & 53; page 9, paragraph 98-100; Moulden discloses that the apparatus of running the modified test suite on selected machines).

But Moulden failed to teach the claim limitation wherein the checksuite including ... one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system.

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However, Eden teaches the limitation wherein the checksuite including one or ... more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system (figure 1; page 1, paragraph 3; page 3, paragraph 21-22).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Eden so that the system would be able to apply to testing a different type of component or extended, ported to different hardware and operating system environments. One would be motivated to do so to easily ported and enhanced to facilitate testing of many different types of hardware and software components while running within a multitude of different operating system environments.

However, Johnson teaches the limitation wherein the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system (col 2, lines 40-63; col 4, lines 25-63; col 5, lines 65 – col 6, lines 28; col 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Johnson so that the system would be able to test the device drivers necessary for each operating system. One would be motivated to do so to reduce the cost and that the operating system not be substantially modified.

37. As to claim 58, Moulden, Eden and Johnson teach an apparatus as recited in claim 57, wherein the instructions cause the processor to edit the checksuite by performing at least one of adding one or more new individual checks to the checksuite, deleting one or more individual checks from the checksuite, or modifying one or more

individual checks within the checksuite (page 6, paragraph 72; Moulden discloses that the apparatus of adding or specifying the context for suites and test group).

38. As to claim 59, Moulden, Eden and Johnson teach an apparatus as recited in claim 58, wherein the instructions further cause the processor

to select one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the apparatus of selecting the desire test suite), and

to apply the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the apparatus of run the test suite for the selected machine).

39. As to claim 60, Moulden, Eden and Johnson teach an apparatus as recited in claim 58, wherein the instructions further cause the processor

to de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the apparatus of deleting and modifying the selected test suite), and

to remove the edited checksuite from the deselected machines (page 5, paragraph 66; Moulden discloses that the apparatus of removing the selected test suite form the machine).

40. Claims 33-40 & 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moulden, Patent No. 2006/0206870 A1 in view of Eden, Patent No. 2003/0009305

A1, and Johnson, Patent No. 5,557,740 and further in view of Singh, Patent No. 2003/0037289 A1.

Moulden teaches the invention substantially as claimed including integrated computer testing and task management systems (see abstract).

41. As to claim 33, Moulden teaches a method comprising:

selecting the requested checksuite (page 1, paragraph 10; page 3, paragraph 47;

Moulden discloses that the method of selecting the appropriate test suite);

editing the checksuite, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite (figure 37-38; page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the method of modifying attributes of an existing suite or modifying test suite or adding the new test cases to an existing group).

applying the edited checksuite to at least one of the two or more previously selected machines or one or more additional machines (page 4, paragraph 51 & 53; page 9, paragraph 98-100; Moulden discloses that the method of running the modified test suite on selected machines).

But Moulden failed to teach the claim limitation wherein the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system; receiving a request to select a checksuite for editing, the checksuite applied to two or more previously selected machines having different operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first

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operating system and second individual checks that are configured to monitor parameters of a second operating system.

However, Singh teaches fault tolerance software system with periodic external self-test failure detection (see abstract). Singh teaches the limitation wherein receiving a request to select a checksuite for editing (figure 4B; page 2, paragraph 26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Singh so that the system would be able to process corresponding requests for the test script. One would be motivated to monitoring server processes in a client-server system.

However, Eden teaches the limitation wherein the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system (figure 1; page 1, paragraph 3; page 3, paragraph 21-22).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Eden so that the system would be able to apply to testing a different type of component or extended, ported to different hardware and operating system environments. One would be motivated to do so to easily ported and enhanced to facilitate testing of many different types of hardware and software components while running within a multitude of different operating system environments.

However, Johnson teaches the limitation wherein , the checksuite applied to two or more previously selected machines having different operating system, wherein the

checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating system (col 2, lines 40-63; col 4, lines 25-63; col 5, lines 65 – col 6, lines 28; col 7, lines 5-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Johnson so that the system would be able to test the device drivers necessary for each operating system. One would be motivated to do so to reduce the cost and that the operating system not be substantially modified.

42. As to claim 34, Moulden, Eden, Johnson and Singh teach the method as recited in claim 33, wherein saving the changes made to the selected checksuite (page 6, paragraph 68; Moulden discloses that the method of saving the changes for the test suite).

But Moulden, Eden and Johnson failed to teach the claim limitation wherein receiving changes made to the selected checksuite; receiving a request to save the changes made to the selected checksuite.

However, Singh teaches the limitation wherein receiving changes made to the selected checksuite (figure 5-7); receiving a request to save the changes made to the selected checksuite (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden, Eden and Johnson in view of Singh so that the system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular requests.

43. As to claim 35, Moulden, Eden, Johnson and Singh teach the method as recited in claim 33, wherein editing the checksuite further comprises:

adding the new individual checks to the selected checksuite (page 6, paragraph 72; Moulden discloses that the method of adding or specifying the context for suites and test group);

saving the selected checksuite as modified (page 6, paragraph 68; Moulden discloses that the method of saving the changes for the test suite); and

applying the modified checksuite to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

But Moulden, Eden and Johnson failed to teach the claim limitation wherein receiving new individual checks.

However, Singh teaches the limitation wherein receiving new individual checks (figure 5-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden, Eden and Johnson in view of Singh so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

44. As to claim 36, Moulden, Eden, Johnson and Singh teach the method as recited in claim 33, wherein editing the checksuite further comprises:

selecting the requested one or more individual checks (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting existing test project or creating a test project);

deleting the selected one or more individual checks (page 5, paragraph 63; Moulden discloses that the method of deleting the selected test case from the test suite);

saving the modified checksuite (page 6, paragraph 68; Moulden discloses that the method of saving the changes for the test suite); and

applying the modified checksuite to the one or more machines previously selected (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

But Moulden, Eden and Johnson failed to teach the claim limitation wherein receiving a request to select one or more of the individual checks; receiving a request the delete the selected one or more individual checks; receiving a request to save the checksuite as modified.

However, Singh teaches the limitation wherein receiving a request to select one or more of the individual checks (figure 5-7); receiving a request the delete the selected one or more individual checks (page 4, paragraph 42); receiving a request to save the checksuite as modified (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden, Eden and Johnson in view of Singh so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

45. As to claim 37, Moulden, Eden, Johnson and Singh teach the method as recited in claim 33, wherein editing the checksuite further comprises:

selecting the one or more requested individual checks (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting existing test project or creating a test project);

saving the one or more modified individual checks (page 6, paragraph 68; Moulden discloses that the method of saving the changes for the test suite).

But Moulden, Eden and Johnson failed to teach the claim limitation wherein receiving a request to select one or more individual checks within the checksuite; receiving a modification of at least one parameter of the one or more selected individual checks; receiving a request to save the one or more individual checks as modified.

However, Moulden teaches the limitation wherein receiving a request to select one or more individual checks within the checksuite (figure 5-7); receiving a modification of at least one parameter of the one or more selected individual checks (page 4, paragraph 41); receiving a request to save the one or more individual checks as modified (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden, Eden and Johnson in view of Singh so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

46. As to claim 38, Moulden, Eden, Johnson and Singh teach the method as recited in claim 37, wherein applying the checksuite containing the one or more modified individual checks to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

But Moulden, Eden and Johnson failed to teach the claim limitation wherein receiving a request to apply the checksuite containing the one or more modified individual checks to the one or more previously selected machines (figure 4B; page 2, paragraph 26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden, Eden and Johnson in view of Singh so that the system would be able to process corresponding requests for the test script. One would be motivated to monitoring server processes in a client-server system.

47. As to claim 39, Moulden, Eden, Johnson and Singh teach the method as recited in claim 36, wherein applying the modified checksuite to the one or more previously selected machines preserves differences made to the one or more previously selected

machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

48. As to claim 40, Moulden, Eden, Johnson and Singh teach the method as recited in claim 36, wherein applying the modified checksuite to the one or more previously selected machines cancels differences made to the one or more previously selected machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

49. As to claim 61, Moulden, Eden and Johnson teach an apparatus as recited in claim 57, wherein the instructions further cause the processor to select the checksuite (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the apparatus of selecting existing test project or creating a test project), and to edit the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the apparatus of modifying attributes of an existing suite or modifying test suite).

But Moulden, Eden and Johnson failed to teach the claim limitation wherein to receive a command.

However, Singh teaches the limitation wherein to receive a command (figure 4B; page 2, paragraph 26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Singh so that the system would be able to process corresponding requests for the test script. One would be motivated to monitoring server processes in a client-server system.

***Response to Arguments***

Applicant's arguments with respect to claims 1, 17, 33 & 57 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina Nguyen whose telephone number is 571-272-3864,

and the fax number is 571-273-3864. The examiner can normally be reached on 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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